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IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1968

No. 742

TRANSIT CASUALTY COMPANY, et al., Petitioners,

v.

SECURITY TRUST COMPANY, et al., Respondents.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

REPLY TO BRIEF IN OPPOSITION

REASON FOR REPLY

Counsel for respondent, Security Trust Company, in their argument have misrepresented to this Court the Record below.

In the Brief in Opposition (p. 11), respondent tells this Court that denial of due process and the constitutional issues raised in the questions presented were never raised in the lower courts—this is false. Petitioners raised denial of due process on initial appeal. On petition for re-

hearing, on suggestion for rehearing en banc and by permission of the Court of Appeals specially granted (CCA-R. 471) denial of petitioners' right to equal protection and due process of law was, respectively, raised, briefed and argued in the lower court (CCA-R. 457, 461, 486, 487).

Respectfully submitted,

SAMUEL J. POWERS, JR.

and

GEORGE P. BOWIE
Counsel for Petitioners